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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/740,256	12/18/2003	James E. Dahlberg	FORS-08497

MEDLEN & CARROLL, LLP
 Suite 350
 101 Howard Street
 San Francisco, CA 94105

CONFIRMATION NO. 1902

FORMALITIES LETTER



OC000000012418160

Date Mailed: 04/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

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- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

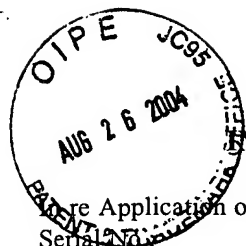
*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: James E. Dahlberg, *et al.*
 Serial No.: 10/740,256
 Filed: 12/18/2003
 Entitled: **Detection of Small Nucleic Acids**

Group No.: 1632
 Examiner:

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Date: <u>August 23, 2004</u>	By: <u><i>Susan M. McClintock</i></u> Susan M. McClintock

Sir or Madam:

In response to the Notice To File Missing Parts Of Nonprovisional Application -- Filing Date Granted (Form PTO-1533) mailed **April 22, 2004** (a copy of which is enclosed), applicants submit the following documents:

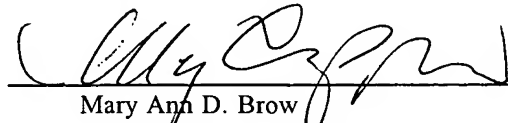
- ▶ Executed Declaration or Oath;
- ▶ An Assignment document for recording, whereby the subject application and the invention disclosed therein is assigned to Third Wave Technologies, Inc., 502 South Rosa Road, Madison, Wisconsin 53719-1256, and a Recordation Form Cover Sheet -- Patents Only (Form PTO-1595);
- ▶ Power of Attorney by Assignee;
- ▶ Petition for extension of time for filing within the second month;
- ▶ Preliminary Amendment and Response;
- ▶ Certificate re: Sequence Listing; and
- ▶ Sequence Listing in paper copy and on a computer-readable diskette.

A check in the amount of **\$315.00** is enclosed herewith to cover:

\$65.00 surcharge for filing missing parts of an application
\$40.00 recordation fee
\$210.00 for filing a two-month extension of time

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fees, and/or credit any overpayment, to Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: August 23, 2004


 Mary Ann D. Brow
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 608/218-6900

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